

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: LINDA RAE FERNANDEZ and : CHAPTER 13
MIGUEL FERNANDEZ :
Debtor(s) :
 :
CHARLES J. DEHART, III :
STANDING CHAPTER 13 TRUSTEE :
Movant :
 :
vs. :
 :
LINDA RAE FERNANDEZ and :
MIGUEL FERNANDEZ :
Respondent(s) : CASE NO. 1-20-bk-02689

TRUSTEE'S OBJECTION TO AMENDED CHAPTER 13 PLAN

AND NOW, this 15th day of October, 2020, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. The Trustee avers that debtor(s)' plan is not feasible based upon the following: Debtors do not provide that Linda Fernandez will commit all projected disposable income to unsecured creditors - §1325(b)(1)(B).

a. The plan is underfunded relative to claims to be paid – 100% plan.

2. Trustee avers that debtor(s)' plan is not feasible and cannot be administered due to the lack of the following:

a. 2019 Federal Income Tax return. (Second request)

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

BY: /s/James K. Jones

CERTIFICATE OF SERVICE

AND NOW, this 19th day of February, 2021, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Chad Julius, Esquire
8150 Derry Street
Harrisburg, PA 17111

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee